DETAILED ACTION

This application has been reviewed. The status of the claims is as follows: claims 1, 2, 5-9 and 21-26 and 28-31 were previously pending; no claims have been added, cancelled, withdrawn or amended; therefore, claims 1, 2, 5-9 and 21-26 and 28-31 are currently pending and have been examined. The rejections are as follows.

Response to Arguments

1. Applicant's arguments, see page 10, filed December 14, 2011, with respect to the rejection(s) of claim(s) 7-9, 24, 25 and 28-29 under 35 USC 102(b) as being anticipated by Rowney et al. (US Patent No. 5,987,140), have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Rowney and Kravitz (US Patent 6,029,150).

2. Applicant's arguments, see page 11, filed December 14, 2011, with respect to the rejection(s) of claim(s) 1, 2, 5, 6, 21-23 and 31 under 35 USC 103 over Rowney in view of Sosa, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Rowney and Kravitz (US Patent 6,029,150).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1, 2, 5-9 and 21-26 and 28-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rowney (US Patent 5,987,140) in view of Kravitz (US Patent 6,029,150) hereafter referred to as Sosa.

5. Regarding claims 1 and 31, Rowney discloses:

a. Securely transacting electronic commerce in an insecure network, in the Abstract

b. Operating between a user and merchants, where user has commercial relationship with certified trusted third party, in column 1 (line 37) through column 2 (line 6)

c. Utilizing a network link between the user and trusted third party and merchants, in figure 1B

d. Utilizing a communication protocol (SSL) on network link, in column 2 (lines 7-42)

e. Utilizing a payment protocol (SET) which is more secure than the communications protocol, in column 4 (lines 59-62).

f. Authentication using a certificate improving security of communications protocol in column 1 (line 37) through column 2 (line 6) and column 11 (lines 14-17).

g. a first communications link that is between the user and the third party gateway (see element 150).

h. Specifically regarding claim 25: Rowney discloses a server (Abstract) with a central processing unit (element 10 of figure 1A)

i. a first communications link that is between the user and the third party gateway (see element 150).

j. a second communications link that is between the third party gateway and the merchant (wee element 170).

k. The client communicates with a hello message in order to start communications with a merchant (see column 10, line 25 through column 12, line 11).

l. Product information and product order information (i.e. payment information) is then sent to the customer [see column 11, line 59 through column 12, line 11; and, fig. 2, elements #210-270 and fig. 3, elements #315, #325].

6. As disclosed above, the last limitation of claim 1 discloses the phrase, “only the certified trusted third party knows an identity of one or more users" or “wherein the one or more merchants do not know an identity of one or more users of the one or more user computing devices”. Rowney discloses various systems, electronic funds transfer systems, as well known in the art, see column 1 (line 55) through column 2 (lines 27, 56-67) and column 3 (lines 1-45). However, Rowney does not specifically disclose a system where the merchant does not know the identity customer and that only the third party knows the identity of the customer. The Examiner cites Kravitz as disclosing an anonymous customer and using a trusted third party to perform a transaction (see column 24, line 6 through column 25, line 3). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Rowney to allow the user to be anonymous to the merchant and perform a transaction using a third party payment system because it is a secure way to provide an anonymous transaction (see Kravitz, column 7, lines 1-6).

7. Regarding claim 5, Rowney discloses providing confirmation of payment (the payment capture response) in figure 13F (element 925).

8. Regarding claim 6, Rowney discloses the information in claim 1. Rowney also discloses: utilizing a communication protocol (SSL) on network link in column 2 (lines 7-42); and, utilizing a payment protocol (SET) which is more secure than the communications protocol in column 4 (lines 59-62).

9. Regarding claims 7, 9, 24, 25 and 29, Rowney discloses:

a. A computerized method for securely transacting electronic commerce in an insecure network in the Abstract

b. Operating between a user and merchants, where user has commercial relationship with certified trusted third party in column 1 (line 37) through column 2 (line 6)

c. Utilizing a network link between the user and trusted third party and merchants in figure 1B

d. Utilizing a communication protocol (SSL) on network link in column 2 (lines 7-42)

e. Utilizing a payment protocol (SET) which is more secure than the communications protocol in column 4 (lines 59-62).

f. Authentication using a certificate improving security of communications protocol in column 1 (line 37) through column 2 (line 6) and column 11 (lines 14-17).

g. a first communications link that is between the user and the third party gateway (see element 150).

h. Specifically regarding claim 25: Rowney discloses a server (Abstract) with a central processing unit (element 10 of figure 1A)

i. The client communicates with a hello message in order to start communications with a merchant (see column 10, line 25 through column 12, line 11).

j. Product information and product order information (i.e. payment information) is then sent to the customer [see column 11, line 59 through column 12, line 11; and, fig. 2, elements #210-270 and fig. 3, elements #315, #325].

k. Completing the entire transaction using the certified trusted third party (see fig. 1B, column 10, lines 4-19).

10. Rowney discloses various systems, electronic funds transfer systems, as well known in the art, see column 1 (line 55) through column 2 (lines 27, 56-67) and column 3 (lines 1-45). However, Rowney does not specifically disclose: "wherein the user need only communicate with the certified trusted third party on the first network link to complete an entire transaction"; "wherein only the certified trusted third party knows an identity of one or more users issuing the one or more requests"; "wherein the apparatus accesses and identity of one or more users"; and, "wherein the one or more merchants do not know an identity of one or more users of the one or more user computing devices". The Examiner cites Kravitz as disclosing a third party performing a transaction, and an anonymous customer (see column 24, line 6 through column 25, line 3). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Rowney to allow the user to be anonymous to the

merchant and perform a transaction using a third party payment system because it is a secure way to provide an anonymous transaction (see Kravitz, column 7, lines 1-6).

11. Regarding claim 8, Rowney discloses the use of the JAVA protocol in column 4 (lines 20-31).

12. Regarding claim 22, Rowney discloses the use of the SET payment protocol in column 4 (lines 59-62).

13. Regarding claim 23, Rowney discloses establishing a trusted third party via an authentication/certificate in column 11 (lines 14-17) and receiving a request from a non-certified party, see figure 4 and column 12 (lines 13-24).

14. Regarding claim 28, Rowney discloses receiving keyboard input, see element 24 and column 13 (lines 29-67).

15. **Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowney and Kravitz as applied to claim 1 above, and further in view of Shavit (US Patent 4,799,156), hereafter referred to as Shavit.**

16. Regarding claims 2 and 18, Rowney discloses a terminal interface in figure 1A (element 38), the processing user requests at using a computing device (see figure 1A), and presenting an

interactive window and allowing a user to choose competitive products in column 2 (lines 7-42). Rowney does not specifically disclose the use of insurance services. Shavit discloses that a payment / transaction system can interconnect with insurance services in column 7 (lines 6-9). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Rowney to include the act of connecting to insurance services because this type of connection was old and well known in the art at the time this invention was made and according to Shavit, is also allows for businesses to achieve additional levels of efficiency (see column 1, lines 13-23).

17. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowney and Kravitz as applied to claim 1 above, and further in view of Rosen (US 5,671,280), hereafter referred to as Rosen.

18. Regarding claim 21, Rowney and Sirbui do not specifically disclose the use of a mobile communications devices. Rosen discloses the use of mobile communications devices in commercial payment systems, see column 5 (lines 30-38). Therefore, it would have been obvious to a person having ordinary skill in the art at the time this invention was made to modify Rowney and Sirbu to include the use of mobile communications devices because it sets up communication with devices used in the "outside world" (see column 5, lines 31-32), thus allowing access to the system by more users.

19. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowney and Kravitz, as applied to claim 25 above, and in further view of Fox et al. (US Patent 6,560,581), hereafter referred to as Fox.

20. Regarding claim 26, Rowney discloses: a "direct or physical" interfaces for the user in figure 1A, element 28; a keyboard (fig. 1A, element 24); and, a card reader configured to receive and process payments made with a bank or smart card. Rowney does not disclose an a card reader. However, Fox discloses a card reader used in electronic commerce for payment of a transaction (see Abstract, fig. 10, element #160 and column 16, lines 46-58). Therefore, it would be obvious to a person having ordinary skill in the art at the time this invention was made to modify Rowney to include the use of a card reader because it is a convenient and efficient way for users to pay for their merchandise.

21. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rowney and Kravitz, as applied to claim 25 above, and in further view of Shavit et al. (US Patent 4,799,156), hereafter referred to as Shavit.

22. Regarding claim 30, the Examiner discloses that it is possible for the requests/purchases in Rowney to be insurance services. However, Rowney does not specifically disclose the use of insurance services. Shavit discloses that a payment / transaction system can interconnect with insurance services in column 7 (lines 6-9). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify Rowney to include the act of connecting to insurance services because this type of connection was old and well known in the art at the time this invention was made and according to Shavit, is also allows for businesses to achieve additional levels of efficiency (see column 1, lines 13-23).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MURIEL TINKLER whose telephone number is (571)272-7976. The examiner can normally be reached on Monday through Friday from 8 AM until 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571)272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Muriel Tinkler/
Primary Examiner, Art Unit 3691